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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,233	03/25/2004	Itzhak Levy	F-8463	6692
24131 7590 02/20/2007 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER CHOI, WOO H	
			ART UNIT 2189	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/809,233

Applicant(s)

LEVY, ITZHAK

Examiner

Woo H. Choi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) 6,8-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Oeda et al. (US Patent No. 5,809,279, hereinafter “Oeda”).

3. With respect to claim 1, Oeda discloses a computer system (figure 4), comprising:
a plurality of data processing channels (logical or data processing channels between hosts, 1 and 1B, and the disk controller, the Examiner notes that these channels are not necessarily physically distinct channels with separate physical ports) requiring data input and generating data output;

a hard disk drive adapter (5) and a plurality of cables or connectors (cables and connectors connecting the hosts to the bus 2) individually connecting each of said plurality of data processing channels directly to said hard disk drive adapter (connections between the hosts and the disk controller are direct, as there is not intermediary device between them, the fact that this direct connection is via a shared bus does not make them indirect); and

a single hard disk drive (4) connected to said hard disk drive adapter;

said hard disk drive adapter forming an intermediate adapter for transferring data between said plurality of data processing channels and said single hard disk drive (see figure 4).

4. With respect to claim 2, the system uses SCSI protocol.
5. With respect to claim 4, the controller handles partition to device mapping and transfer of data. See figure 2.
6. With respect to claim 5, a plurality of cables or connectors is required to connect multiple hosts to a SCSI bus.
7. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimada et al. (US Patent Application No. 2005/0091453, hereinafter "Shimada").

Shimada discloses a computer system (figure 7), comprising:

a plurality of data processing channels (see figure 7, host interface units) requiring data input and generating data output;

a hard disk drive adapter (the device shown in figure 7) and a plurality of cables or connectors (cables and connectors connecting the hosts to the interface) individually connecting each of said plurality of data processing channels directly to said hard disk drive adapter; and

a single hard disk drive (one of the drives 107) connected to said hard disk drive adapter;

said hard disk drive adapter forming an intermediate adapter for transferring data between said plurality of data processing channels and said single hard disk drive.

Response to Arguments

7. Applicant's arguments filed on August 9, 2006, have been fully considered but they are not persuasive. While Applicant may have intended to exclude a bus type of connection with limitation "cables or connectors individually connecting ... directly to ..." the language, as currently stated, does not exclude a bus type connection. The claimed "data processing channel" is simply a channel through which data processing occurs and each interface that connects the hosts to the bus reads on this limitation. Each host interface requires a cable and/or a connector to connect to the bus. A host connection to the bus is a direct connection because the disk controller is also directly connected to the bus and the bus is, like a wire or cable, simply a conduit through which devices can directly connect to each other and communicate. The Examiner notes that the claim does not require that each individual physical host port be directly connected to its corresponding adapter port via a dedicated cable connection.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,


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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Woo H. Choi whose telephone number is (571) 272-4179. The examiner can normally be reached on M-F, 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reginald Bragdon can be reached on (571) 272-4204. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Woo H. Choi
February 7, 2007